

PB# 81-9

Realm Restaurateurs

49-1-1

Reab Subdivision 81-9
Reatauratus (Rein)

final approved. 7/8/81. for final

must go to P.B. decision 4/18/81
must go to P.B. decision 4/18/81

TOWN OF NEW WINDSOR			General Receipt		4556
555 Union Avenue New Windsor, N. Y. 12550					March 12 1981
Received of			Realm - Restaurant		\$ 25.00
Twenty-five and 00/100					DOLLARS
For			Application Fee #81-9		
DISTRIBUTION					
FUND	CODE	AMOUNT			
25.00					
ck					
By Pauline G. Townsend cm					
			Town Clerk		Title

Williamson Law Book Co., Rochester, N. Y. 14609

TOWN OF NEW WINDSOR			General Receipt		4627
555 Union Avenue New Windsor, N. Y. 12550					June 25 1981
Received of			Realm Restaurants Inc.		\$ 75.00
Seventy-five and 00/100					DOLLARS
For			Sub-division 81-#19 (Planning Board)		
DISTRIBUTION					
FUND	CODE	AMOUNT			
75.00					
ck					
By Pauline G. Townsend cm					
			Town Clerk		Title

Williamson Law Book Co., Rochester, N. Y. 14609

Approved - 7/8/81
filed with
T.C. office
7/9/81

Division 81-9
(Rev)

7/3 meeting
8/5/81

22

RE: AUTHORIZATION FOR THE RELEASE OF CASH BOND (REALM
RESTAURATEURS)

Motion by Council B , seconded by Council D

that the Town Board of the Town of New Windsor authorize
the Comptroller to release the Cash Bond of the Realm
Restaurateurs in the amount of six hundred twenty-five
dollars (\$625.00), ~~as~~ per the recommendation of the Town
Engineer, as all work has been completed.

ROLL CALL: all ayes

MOTION CARRIED: 4-0

CHARLES B. MERRILL
Office Equipment and Supplies
384 Broadway Newburgh, N. Y.
Telephone JOHN 1-5439

SHEET NO. _____

ACCOUNT NO. _____

TERMS _____

NAME _____

Beaumont Society (Reimburse mty)

RATING _____
CREDIT LIMIT _____

ADDRESS _____

1-115

DATE
19 *61*

ITEMS

FOL.

☒

DEBITS

☒

CREDITS

DR.
OR
CR.

BALANCE

Chas. B. Merrill
1 Nov 61
1 Nov 61
3 Nov 61

Nov 13 14

Nov 13 14

Nov 13 14

Nov 13 14

62.50

Date 11 March 1981

Application No. 81-9

APPLICATION FOR SUBDIVISION APPROVAL
Town of New Windsor, 555 Union Avenue, Orange County, N.Y.
Tel: 565-8808

Application is hereby made for subdivision of lands situated in the Town of New Windsor and described as follows:

1. Name of subdivision Realm Restaurateurs, Inc.
2. Location 345 Windsor Highway
3. Acreage 1.14 4. Number of lots 2 5. Zone C
6. Name & address of subdivider Realm Restaurateurs, Inc.
P.O. Box 385, Vails Gate, New York 12584
7. Name & address of record owner of land Realm Restaurateurs, Inc.
P.O. Box 385, Vails Gate, New York 12584
8. Present and intended uses Restaurant and Office Building

The undersigned applies for subdivision approval of the above described lands under the rules and procedure of the "Land Subdivision Regulations of the Town of New Windsor" as duly authorized by the Town Board of New Windsor, New York. Upon approval of the Preliminary Layout of said subdivision the applicant agrees to install such utilities as are required and to complete the streets as finally approved by the Planning Board or in lieu of this to post a performance bond as set forth and provided in the "Land Subdivision Regulations". Copies of the Preliminary Layout are hereby attached.

Compliance with requirements shall be the sole responsibility of the applicant or his representative and it is suggested a copy of the Subdivision Regulations be obtained to avoid rejection of the plans. Seven (7) copies of the plans are required.

Fees are due and payable upon submission of the preliminary plans. All checks are to be made payable to the Town of New Windsor.

Signature of applicant Michael Reis

received 7/31/89
sk

Tel. (914) 294-5151

By: Shirley B. Hadden
Chief Clerk

April 13, 1981
ZONING BOARD OF APPEALS

After subdivision: Parcel 1- Requires 3 parking spaces;
Parcel 2- Requires Lot width, lot
area and side yard variances.

Mr. Reis explained that he appeared before the Planning Board for subdivision approval and was referred to this Board for area variances since REALM plans to split the parcel located on Route 32 which contains Vails Gate Diner and Broadway Tailors.

Mr. Reis furnished copies of the application, site plan, List from Tax Assessor's office containing 48 names of adjacent property owners thereon; 40 return receipts; \$50.00 application fee. No spectators were present.

Public hearing was recorded on Tape #91 on file in Secretary's office.

After the close of the public hearing, motion was made by Jack Babcock, seconded by James Nugent, to grant the above area variances to REALM RESTAURANTEURS, INC. as presented by site plan dated March 10, 1981, subject to restrictions being placed in the deed so that there is a mutually restrictive covenant for reasonable access to both owners of the property for future use.

ROLL CALL:	Mr. Pagano	- Yes
	Mr. Bivona	- Yes
	Mr. Babcock	- Yes
	Mr. Nugent	- Yes
	Mr. Skopin	- Yes
	Mr. Konkol	- Yes
	Mr. Fenwick	- Yes

Motion carried 7 ayes. Application granted. Formal decision would be written and acted upon at an upcoming meeting of the Board.

* * * * *

Last order of business: Orange Municipal Planning Federation Spring Meeting to be held on April 30th at Jolly Onion Inn at 6:30 p.m. It was requested that the members attend at the Town's expense. Secretary requested to place the matter on the next Town Board agenda for approval.

Since there was no further business to be brought before the Board, motion followed by Joseph Skopin, seconded by John Pagano to adjourn. Motion carried, all ayes. Meeting adjourned.

Respectfully submitted,

Patricia Delio
PATRICIA DELIO, Secretary

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
FROM: ZONING BOARD OF APPEALS
SUBJECT: PUBLIC HEARINGS BEFORE ZBA - April 13, 1981
DATE: March 25, 1981

Please be advised that there are two (2) public hearings scheduled to be heard before the Zoning Board of Appeals on the evening of April 13, 1981:

8 p.m. - Application of CHESTER and CLEMENTINA PALOZZO; and

Application of REALM RESTAURANTEURS, INC.
(Vails Gate Diner).

I have attached hereto copies of the public hearing notices together with the pertinent applications on each of the above applications.

Pat

/pd

Attachments

cc: Howard Collett - Bldg./Zoning Inspector
Town of New Windsor

COMPARE OUR QUALITY, WARRANTIES AND PRICE

JETZON
INNOVATION
EL RADIAL ALL-SEASON
WHITEWALL

155x12
\$44⁹⁵

PRICE	SIZE	PRICE
44.95	P205/75R-14	61.95
48.95	P215/75R-14	63.95
48.95	P205/75R-15	62.95
52.95	P215/75R-15	66.95
56.95	P225/75R-15	67.95
58.95	P235/75R-15	72.95

JETZON \$42⁹⁵
RAD-AGE III
DOUBLE BELTED RADIAL
WHITEWALL

165/80R13 (AR)	42.95
185/80R13 (GR)	44.95
185/75R14 (CR)	47.95
195/75R14 (ER)	49.95
205/75R14 (FR)	52.95
215/75R14 (GR)	54.95
215/75R15 (GR)	56.95
225/75R15 (HR)	59.95
235/75R15 (LR)	59.95

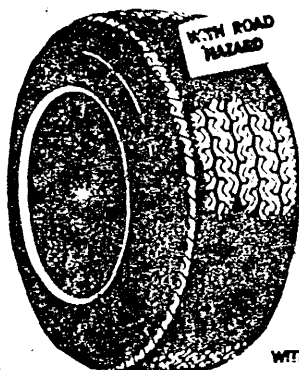
JETZON SABRE
METRIC RADIAL
• FOR IMPORTS & U.S. CARS

155x12
Plus F.E.T.
\$34⁹⁵
BLACKWALL

SIZE	PRICE
155x13	37.95
165x13	38.95
165x14	42.95
175x14	44.95
165x15	44.95
175x15	49.95

YESTER
WHITEWALL
TREADS

PRICE
18.95
21.95
23.95
24.95
26.95
26.95
26.95
27.95
28.95



RADIAL
WHITEWALL
RETREADS

SIZE	PRICE
AR78x13	28.95
165x13	28.95
BR78x13	29.95
ER78x14	32.95
FR78x14	33.95
GR78x14	34.95
HR78x14	34.95
GR78x15	34.95
HR78x15	36.95
LR78x15	37.95

HOT TIRE
ELECTRO
SPIN
BALANCING

\$14⁹⁵

FOUR TIRES
STANDARD
WHEELS
REG. '22"

US F.E.T. .38-3.38 FREE MOUNTING
SPECIALS VALID THRU MARCH 29, 1981

SHOCK
ABSORBERS
PREMIUM
HEAVY DUTY

DISC
TYPE
\$12⁹⁵

1 3/16 INCH PISTON
BETTER THAN
ORIGINAL EQUIP.
INSTALLATION AVAIL.
SHOCK
FREE INSPECTION

SUN
ELECTRONIC
TUNE-UP

4 cylinder **39⁹⁵**
6 cylinder **44⁹⁵**
8 cylinder **49⁹⁵**

INCLUDES CHAMPION
PLUGS, NEW ROTOR, SET
CARB. - CLEAN ADJUST -
SET TIMING, CHECK ALL
ELECT. PARTS & IGNITION
PARTS

BATTERY
SALE
MAINTENANCE
FREE

39⁹⁵
3 YEAR

49⁹⁵
4 YEAR

59⁹⁵
5 YEAR

WITH EXCHANGE

BEAR
ALIGNMENT

\$18⁹⁵

SET CAMBER,
CASTOR, TOE,
CHECK ALL
FRONT END
PARTS FOR
WEAR

By Warren Wagner

The New Windsor Zoning Board of Appeals held preliminary meetings this past Monday to determine if public hearings were necessary.

Realm Restaurateurs Corporation, which owns Vail's Gate Diner, requested several variances to accommodate the subdivision of their property on Route 32. The board determined that a public hearing would be needed before a decision could be made.

The board felt that a determination should not be made in regards to parking development on the land adjacent to the Ponderosa Restaurant since there was no formal form of appeal made. The request came from New Windsor Associates.

Legal Notice

(Continued from page 4)

PUBLIC NOTICE OF
HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 8

Request of CHESTER PALOZZO and CLEMENTINA PALOZZO for a VARIANCE of the regulations of the Zoning Ordinance to permit second residence on one parcel of land being a VARIANCE of Section 48-9 - Table of Use Regulations - Col. A for property situated as follows:

R.D. 1 - Silver Stream Road, Town of New Windsor, New York.

SAID HEARING will take place on the 13th day of April, 1981, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 8 o'clock P.M.

RICHARD FENWICK

Chairman

By: Patricia Delio,

Secretary

way

562-0200

303 BROADWAY NEWBURGH, N.Y.
Corner 9W (Robinson Ave) & Bwy.
MON.-FRI. 8-6 SAT. 8-4
FREE PARKING IN REAR OF BLD.



CALL THE SENTINEL
562-1218

3/26/81.

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 8

Request of CHESTER PALOZZO and CLEMENTINA PALOZZO
for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Ordinance to
permit second residence on one parcel of land

being a VARIANCE ~~XXXXXXXXXXXXXX~~ of

Section 48-9 - Table of Use Regulations - Col. A
for property situated as follows:

R. D. 1 - Silver Stream Road, Town of New Windsor,
New York.

SAID HEARING will take place on the 13th day of
April, 1981, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
8 o'clock P. M.

RICHARD FENWICK
Chairman

JOHNSON
A WORD
1706
 Newburgh, N.Y.

Mobil
 heating oil

OME
ERVICE
CE YOU

le
el

with
take
of device
than

output
 workshop,
 store, office



WHY MY
CTOR
LLSD



10' - 12' lengths, 36' 12
 guages 10' - 12' lengths. De-
 livered to the Town Garage
 or picked up.

Item No. 6 - Arch type corrugated
 pipe sizes, Diameter of pipe
 of equal periphery inches,
 15' thru 72', diameter, coat-
 ed or uncoated. Delivered to
 the Town Garage or picked
 up.

Item No. 7 - Crushed Stone, sizes
 1/4" - 3/8" - 1/2" - 5/8" - 3/4" -
 1" - 1 1/2" F.O.B. and deliver-
 ed to the Town Garage or
 picked up.

Item No. 8 - Bituminous Material
 for the road, Latex Emulsion,
 Laytex Primer-Sealer,
 Laytex M.P., Base Condi-
 tioner, R.T. 4 thru R.T. 10,
 delivered.

Bids will be publicly opened at
 the office of Town Clerk Pauline
 G. Townsend, on April 9, 1981, at
 2:00 P.M. in the Town Hall, 555
 Union Avenue, New Windsor, Or-
 ange County, New York.

The Town Board reserves the
 right to accept or reject any and/
 or bids.

BY ORDER OF THE
 TOWN CLERK
 Town of New Windsor
 PAULINE G. TOWNSEND
 Town Clerk

**PUBLIC NOTICE OF
 HEARING BEFORE
 ZONING BOARD OF APPEALS
 TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the
 Zoning Board of Appeals of the
 TOWN OF NEW WINDSOR, New
 York will hold a Public Hearing
 pursuant to Section 48-33A of the
 Zoning Ordinance on the follow-
 ing proposition:

Apel No. 6
 Request of REALM RESTAUR-
 ANTEURS, INC. for a VARI-
 ANCE of the regulations of the
 Zoning Ordinance to permit
 Subdivision of lands to separate
 diner and office building,
 thereby creating undersized
 lot, being a VARIANCE of Sec-
 tions 48-12, Part II, Table of
 Bulk Regs. Cols. 4,5 & 7 and
 and Sec. 48-9 Table of Regs -
 Col. E for property situated as
 follows:

East side of Route 32, North of
 Forge Hill Road and across
 from Vail's Gate School (Vail's
 Gate Diner) Tax Map Sec. 49-
 Block 1, Lot 1- Town of New
 Windsor, New York

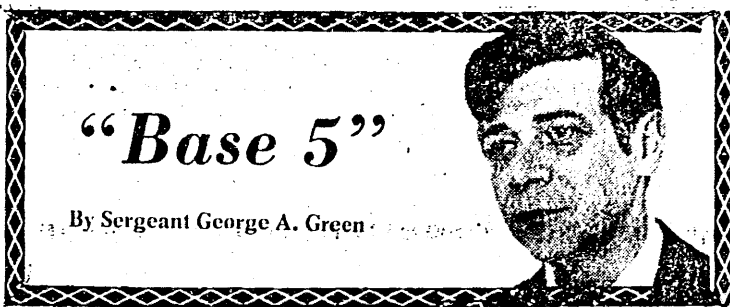
SAID HEARING will take place
 on the 13th day of April, 1981, at
 the New Windsor Town Hall, 555
 Union Avenue, New Windsor,
 N.Y. beginning at 8 o'clock P.M.

RICHARD FENWICK
 Chairman
 By: Patricia Delio,
 Secretary

PLEASE TAKE NOTICE that the
 1980 Town Supervisor's Financial
 Report has been completed and
 is on file in the Town Clerk's
 Office, New Windsor Town Hall,
 555 Union Avenue, New Windsor,
 New York, and may be reviewed

through Friday, from 8:30 A.M.
 to 4:30 P.M.

BY ORDER OF THE
 TOWN BOARD
 Town of New Windsor
 PAULINE G. TOWNSEND
 Town Clerk
 (Continued on page 16)



"Base 5"

By Sergeant George A. Green

This week's "Base 5" article was written by Ptl. Michael J. Far-
 ricellia, a STEP team officer of the Town of New Windsor Police De-
 partment.

In the past few weeks, Sgt. Green has discussed some traffic prob-
 lems that motorists face while driving in town. In his most recent
 articles, the Selective Traffic Enforcement Program (S.T.E.P.) was
 brought to light as a means of dealing with these traffic problems.
 Being a S.T.E.P. team officer myself, I would like to take this oppor-
 tunity to explain exactly what the S.T.E.P. program is all about.

Basically, the S.T.E.P. team officers do exactly as the title in-
 dicates, selectively enforce traffic problems. The main objective of
 the S.T.E.P. program is to reduce the speeds of drivers in hazard-
 ous areas and generally improve a driver's bad habits. Contrary to
 some belief, the S.T.E.P. team is not out to write as many tickets as
 possible, but rather to train people to drive within the guidelines of
 the law. People for the most part don't deliberately or uncaringly
 violate traffic laws. People violate laws because driving becomes
 second nature and careless habits develop.

For instance, think about the last time you were stopped by a traf-
 fic officer. Was the violation committed intentionally? Probably not.
 You were probably daydreaming, or talking to someone, or maybe
 you were just in a hurry. If that violation caused an accident how-
 ever... well we won't think about that.

The S.T.E.P. team officers are aware of the many things, espe-
 cially people's driving habits, which cause accidents. By careful se-
 lection, the areas where these problems are most likely to occur are
 mapped out and become known as target areas. Once a target area
 is known the S.T.E.P. team officers react by enforcing the hazard-
 ous moving violations which occur in that area. I have personally no-
 ticed a significant overall decrease in the average speed of drivers in
 New Windsor. I would like to point out that it is not our intention to
 sneak around in hopes of apprehending a violator. We will, how-
 ever, accomplish nothing if good driving habits occur only when the
 police are visible. The S.T.E.P. team officers will be concentrating
 their efforts in the following areas:

1. Vail's Gate Five Corners, 2. Rte. 32 from Vail's Gate Five Cor-
 ners north to Union Avenue, 3. Rte. 94 from Vail's Gate Five Cor-
 ners east to Union Avenue, 4. Rte. 9W, especially in the intersec-
 tions of Walsh Rd. and Rte. 94, and 5. Rte. 207 from Temple Hill
 Road west to Stewart Airport.

There will be an increased concentration on the intersections of
 these areas. I will give you a few tips to avoid becoming the recip-
 ient of a traffic ticket.

1. Completely stop for all stop signs; 2. Pay attention to the speed
 limits, especially in congested areas; 3. Don't pass on the shoulder
 of the road; 4. Be alert to traffic signs, especially no turn on red
 signs; 5. And one of our biggest problems, don't avoid intersections
 by taking short cuts through parking lots. For example, going
 through OTB between Old Forge Hill Road and Route 32. Barkers
 parking lot, or cutting through any number of other small short cuts
 that exist throughout the town. This practice causes many accidents
 and will net you a two-point ticket if you choose to do it.

I hope that this article improves more driving habits than my traf-
 fic ticket may have to.

Since the S.T.E.P. program was implemented on April 1, 1981,
 we have had less accidents and decreased the overall severity of
 those investigated.

Remember, always drive defensively and sensibly. The accident
 you prevent may have been yours.

The Sentinel - 3/26/81

TOWN OF WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

81-6.
(Number)

3/23/56.
(Date)

I. ☒ Applicant information:

- (a) Realm Restaurateurs, Inc., P.O. Box 385, 345 Windsor Highway, Vails Gate,
(Name, address and phone of Applicant) New York 12584
914-562-9050
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
☒ Area variance
☐ Sign variance
☐ Special permit

III. Property information:

- (a) C 345 Windsor Highway 49. 1 1 1.14 Ac
(Zone) (Address) (\$ B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4 & R-5
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? 25 April 1967
- (e) Has property been subdivided previously? No When?
- (f) Has property been subject of variance or special permit previously? No When?
- (g) Has an order-to-repeal violation been issued against the property by the Zoning Inspector? No If so, when -
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. Dumpster (see plan for location).
-
-



IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☒ X

V. Area variance: Parcel I

(a) Area variance requested from New Windsor Zoning Local Law,
Section 48-12, Table II, Column 24

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>10,000 s.f.</u>	<u>13,125 s.f.</u>	<u>0</u>
Min. Lot Width <u>100 ft.</u>	<u>100 ft.</u>	<u>0</u>
Reqd. Front Yard <u>40</u>	<u>47</u>	<u>0</u>
Reqd. Side Yards <u>15 / 35</u>	<u>15 / 35</u>	<u>0 / 0</u>
Reqd. Rear Yard <u>15</u>	<u>17</u>	<u>0</u>
Reqd. Street Frontage* <u></u>	<u></u>	<u></u>
Max. Bldg. Hgt. <u>2 stories</u>	<u>2 stories</u>	<u>0</u>
Min. Floor Area* <u></u>	<u></u>	<u></u>
Development Coverage* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio** <u>1.0</u>	<u>0.4</u>	<u></u>

* Residential districts only

** Non-residential districts only

Parking Space	<u>24</u>	<u>21</u>	<u>3</u>
---------------	-----------	-----------	----------



IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☒ X

V. Area variance: Parcel II

(a) Area variance requested from New Windsor Zoning Ord. Law, Section 48-12, Table II, Columns 4, 5, 7

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>40,000 s.f.</u>	<u>36,723 s.f.</u>	<u>3277 s.f.</u>
Min. Lot Width <u>200 ft.</u>	<u>149 ft.</u>	<u>51 s.f.</u>
Reqd. Front Yard <u>60 ft.</u>	<u>30 ft.</u>	<u>(existing condition)</u>
Reqd. Side Yards <u>30 / 70</u>	<u>22+ / 72</u>	<u>8+ / 0</u>
Reqd. Rear Yard <u>30</u>	<u>122</u>	<u>0</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt. <u>11'+</u>	<u>13'+</u>	<u>(existing condition)</u>
Min. Floor Area*		
Development Coverage* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio** <u>0.5</u>	<u>0.1</u>	<u>0</u>

* Residential districts only

** Non-residential districts only

Parking Spaces	44	64	0
	(130 seats)		

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

Difficulty arises in effort to separate two uses on same parcel

by subdivision, due to differing bulk requirements. Effort to

alleviate consists of a mutuality-of-use agreement for access and

parking between the two lots proposed.



VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?



VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.



VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

No changes in the existing character of the site are proposed. No
new construction is planned, and access and parking will remain as
presently used.



IX. Attachments required:

___ Copy of letter of referral from Building and Zoning Inspector.

x Copy of contract of sale, lease or Franchise agreement.

x Copy of tax map showing adjacent properties

___ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

___ Copy(ies) of sign(s) with dimensions.

x Check in amount of \$ 50 payable to Town of New Windsor.

Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

___ Other

X. AFFIDAVIT

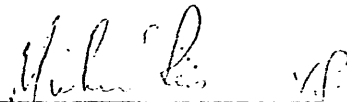
Date _____

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

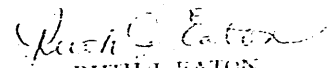
The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.


(Applicant)

Michael Reis, Vice President

Sworn to before me this

1st day of April, 1981.


RUTH J. EATON
Notary Public, State of New York
Qualified in Orange County
Commission Expires March 30, 1982
Reg. No. 4673512

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

Planning Bd.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

81-8
(Number)

March 25, 1981
(Date)

I. Applicant information:

(a) CHESTER & CLEMENTINA PALOZZO 564-6836
(Name, address and phone of Applicant)

(b) NONE
(Name, address and phone of purchaser or lessee)

(c) NONE
(Name, address and phone of attorney)

(d) NONE
(Name, address and phone of broker)

II. Application type:

- ☒ Use variance
☐ Area variance
☐ Sign variance
☐ Special permit

III. Property information:

(a) NC RD2 SILVERSTREM ROAD 3 1 21 126 x 406
(Zone) (Address) (\$ B L) (Lot size)

(b) What other zones lie within 500 ft.? PI

(c) Is a pending sale or lease subject to ZBA approval of this application? NO

(d) When was property purchased by present owner? 25 years

(e) Has property been subdivided previously? NO When?

(f) Has property been subject of variance or special permit previously? NO When?

(g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? NO. If so, when

(h) Is there any outside storage at the property now or is any proposed? Describe in detail. NO

☐ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table USE, Column B, to allow

ESTABLISH DWELLING UNIT OVER EXISTING GARAGE

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

AGED MOTHER LIVE IN NEWBURGH NEEDS CARE SO SHE CAN BE CLOSE

TO HER DAUGHTER TO CARE FOR HER

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law,
Section _____, Table _____, Column _____

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

* Residential districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.



VI.

Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

(c) What is total area in square feet of all signs on premises including
signs on windows, face of building, and free-standing signs?



VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.



VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)



IX. Attachments required:

- ☐ Copy of letter of referral from Building and Zoning Inspector.
 - ☐ Copy of contract of sale, lease or franchise agreement.
 - ☐ Copy of tax map showing adjacent properties
 - ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
 - ☐ Copy(ies) of sign(s) with dimensions.
 - ☒ Check in amount of \$ 25.00 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.
All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- ☐ Other

X. AFFIDAVIT

Date Mar. 25 1981

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Clementina Palazzo
Chester Palazzo
(Applicant)

Sworn to before me this

25th day of March, 1981.

Patricia Delio
PATRICIA DELIO

Notary Public, State of New York
Appointed in Orange County
My Commission expires Mar. 30, 1982.

XI. ZBA Action:

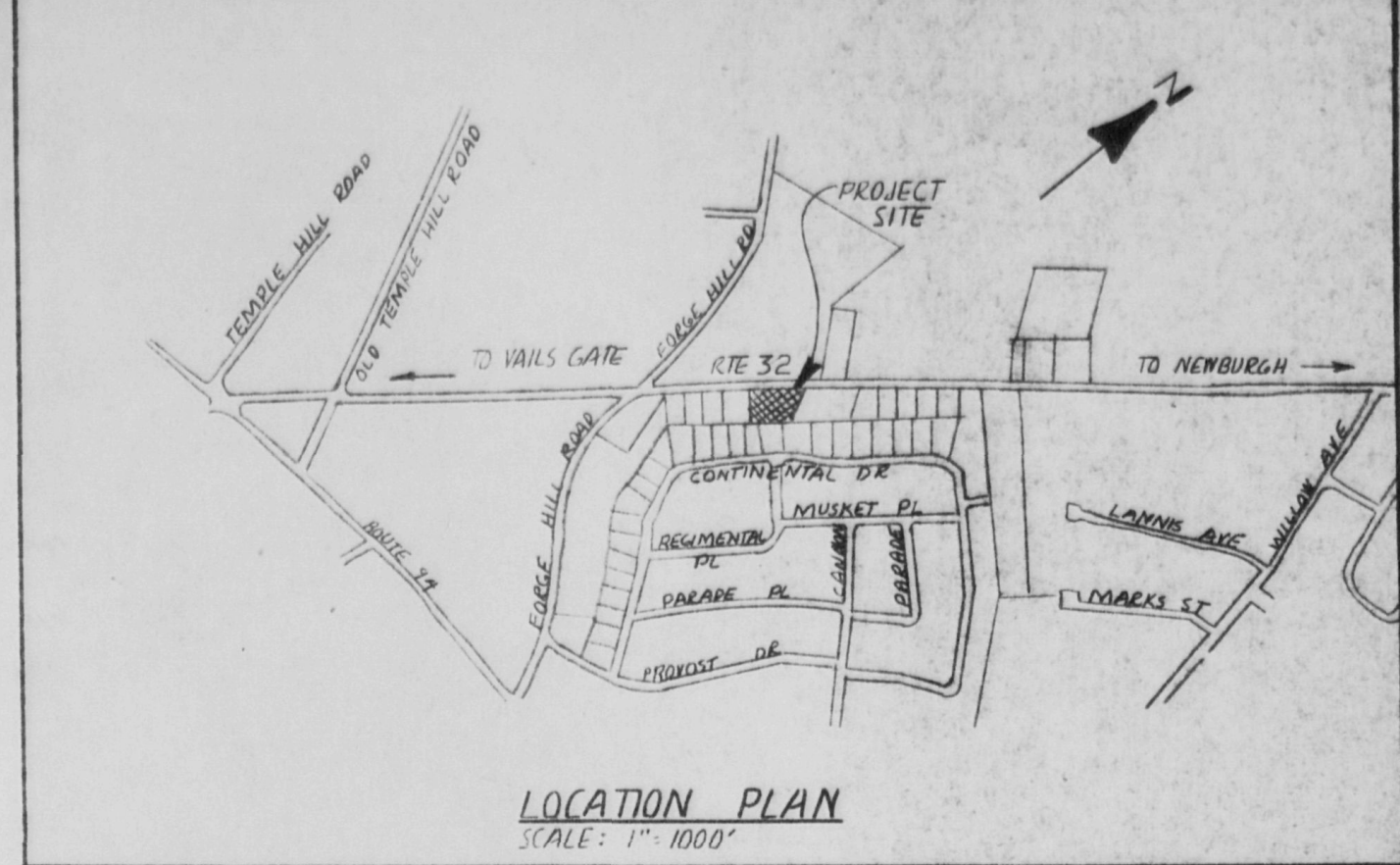
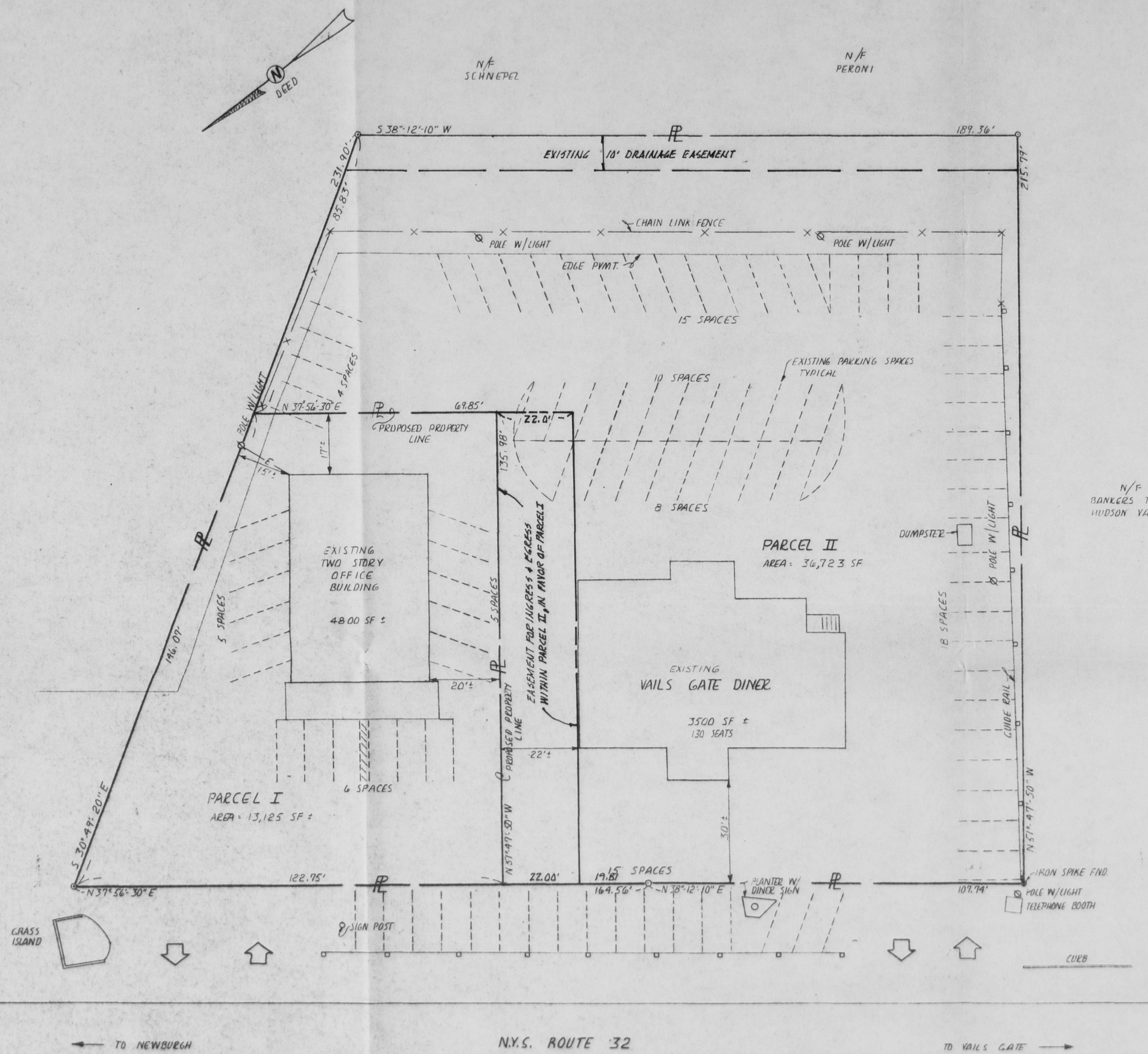
(a) Public Hearing date _____

(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.



- NOTES:**
1. BEING SECTION 49, BLOCK 1, LOT 1, AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS.
 2. AREA OF TRACT: 1.14 ACRES
 3. ZONE: C' DESIGN SHOPPING
 4. RECORD OWNER: REALM RESTAURANTEURS INC.
 5. APPLICANT: REALM RESTAURANTEURS INC.
 6. SEWER DISTRICT: NEW WINDSOR SEWER DISTRICT # 11A
 7. PROPERTY BOUNDARY DATA FROM DEEDS OF RECORD AND SITE PLAN OF LANDS OF ROBERT REIS DATED 22 APRIL 1970 AND REVISED 30 JULY 1970 PREPARED BY GUSTANCE & HOROWITZ ENGINEERS.
 8. THE TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS, AFTER A PUBLIC HEARING HELD ON 13 APRIL 1981 (APPLICATION NO. 81-6), APPROVED THE AREA VARIANCES REQUIRED AS SHOWN ON THE BULK SUMMARIES FOR PARCELS I & II, BELOW.

TO NEWBURGH N.Y.S. ROUTE 32 TO VAILS GATE

PLAN
SCALE: 1" = 20'

PARCEL I BULK SUMMARY

USE	LOT AREA	LOT WIDTH	FRONT YARD	SIDE YARD	SIDE YARDS TOTAL	REAR YARD	BLDG. HEIGHT	FLOOR AREA RATIO	PARKING SPACES
OFFICES									
REQUIRED	10000 SF	100 FT	40 FT	15 FT	35 FT	15' 5"	2 STORY	1.0	24
PROVIDED	13,125 SF	100 FT	49 FT	15 FT	35 FT	17 FT	2 STORY	0.4	21 ON PARCEL I
VARIANCE REQUIRED									YES

* PARKING REQUIREMENTS MAY BE MET ON PARCEL II

PARCEL II BULK SUMMARY

USE	LOT AREA	LOT WIDTH	FRONT YARD	SIDE YARD	SIDE YARDS TOTAL	REAR YARD	BLDG. HEIGHT	FLOOR AREA RATIO	PARKING SPACES
RESTAURANT									
REQUIRED	40000 SF	200 FT	60 FT	30	70	30	11' 5"	0.5	44 (130 SEATS)
PROVIDED	36,723 SF	149 FT	30 FT	22 FT	72 FT	122 FT	13' 5"	0.1	64
VARIANCE REQUIRED	YES	YES	*	YES			*		

* PRE-EXISTING CONDITION

Subdivision APPROVAL GRANTED
BY TOWN OF NEW WINDSOR PLANNING BOARD
ON 7-8-81
BY *Carl C. Schip*



McGOEY, HAUSER & GREVAS CONSULTING ENGINEERS 45 Quassaick Ave. (Rte 9-W) New Windsor, New York 9 High Street Port Jervis, New York			PLAN FOR REALM RESTAURATEURS CORP. TOWN OF NEW WINDSOR - ORANGE COUNTY - NEW YORK		
Revision	Date	Description	Drawn	Checked	Scale
1	JULY 81	REVISIONS PER PLANNING BOARD 24 JUN 81	WHT	30	AS SHOWN
					Date 10 MAR 81
					Job No 8-95-81
			MINOR SUBDIVISION		
			Sheet 1 of 1		